

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

TRAVIS DUANE HUSS,

Plaintiff,

v.

Case Nos. 23-C-518 & 23-C-519

TIME WARNER INC. CORPORATE
OFFICE & HEADQUARTERS,

Defendant.

ORDER

On April 21, 2023, Plaintiff Travis Duane Huss, proceeding *pro se*, filed two nearly identical complaints against Defendant Time Warner Inc. Corporate Office & Headquarters. Dkt. No. 1. On April 25, 2023, the court granted Plaintiff's motions for leave to proceed without prepayment of the filing fee but dismissed the actions for lack of subject matter jurisdiction. Dkt. No. 5. The Clerk entered judgment accordingly. Dkt. No. 6. Thereafter, Plaintiff filed a motion for reconsideration, which the court denied on May 9, 2023. Dkt. Nos. 8, 10. On May 19, 2023, Plaintiff filed a notice of appeal, Dkt. No. 12, a second motion for reconsideration and clarification, as well as a motion to appoint counsel, Dkt. Nos. 11 & 13.

"[O]nce a notice of appeal is filed with the district court it is divested of jurisdiction over the case, and the appellate court assumes jurisdiction." *Grube v. Lau Indus., Inc.*, 257 F.3d 723, 731 (7th Cir. 2001); *see also Aaron v. Mahl*, 550 F.3d 659, 667 (7th Cir. 2008); *Brenner v. C.F.T.C.*, 338 F.3d 713, 722 (7th Cir. 2003). Plaintiff's motion for reconsideration and clarification involves aspects of the case involved in the appeal; therefore, the court is without jurisdiction over the motion. The court is unable to "advise" either party in an action how to

successfully plead their case, and this court's previous orders explained why the case was dismissed. Moreover, because this case is closed, Plaintiff has no need for appointed counsel.

IT IS THEREFORE ORDERED that Plaintiff's motion for reconsideration and clarification (Dkt. No. 11) is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's motion for appointment of counsel (Dkt. No. 13) is **DENIED**.

Dated at Green Bay, Wisconsin this 24th day of May, 2023.

s/ William C. Griesbach

William C. Griesbach
United States District Judge